

01/17/02

J-525-1  
TO: **UTILITY PATENT APPLICATION TRANSMITTAL**

(for nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Do. No.

1768 SPRI

Express Mail No.

EL276178281

979 U.S. PTO  
10/05/90

01/17/02

TO: Box Patent Application  
Commissioner of Patents  
Washington, D.C. 20231

	Last Name	First Name	Middle Initial	Residence (City /State/Zip/Country)	Citizenship
Inventor(s):	Shee	Dek	J.	2114 Stratford, Olathe, Kansas 66062	U.S.A.
Title:	DATABASE PERFORMANCE MONITORING METHOD AND TOOL				

Enclosed are:

X	Non-Publication Request Under 35 U.S.C. § 122(b)(2)(B)(i)
17	pages of specification including abstract
2	sheet(s) of FORMAL drawings
X	an assignment of the prior application to: Sprint Communications Company L.P.
X	Declaration of Inventor(s): <input type="checkbox"/> Newly executed <input checked="" type="checkbox"/> Copied from a prior application (for contin/div)
X	Incorporation by Reference: the entire disclosure of the prior application, from which the copy or copies of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
	small entity status is claimed.
	Other:

If a Continuing Application: Check appropriate box, and supply the requisite information below:

<input type="checkbox"/>	Benefit is claimed under 35 U.S.C. 119(e) of U.S. Provisional Application No.		
X	Continuation	Divisional	Continuation-in-Part (CIP)
			of prior application No. 10/013,410, filed 12/11/01
Prior application information:		Examiner:	Group Art Unit:

## CLAIMS AS FILED

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE			\$740	\$ 740
TOTAL CLAIMS	13 - 20 =	0	X \$ 18	\$ -0-
INDEPENDENT CLAIMS	3 - 3 =	0	X \$ 84	\$ -0-
MULTIPLE DEPENDENT CLAIM PRESENT			\$280	\$ -0-
* Number extra must be zero or larger				TOTAL \$ 740

If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.	SMALL ENTITY TOTAL
--	--------------------

X	A check in the amount of \$ 740 to cover the filing fee is enclosed.
X	Commissioner is hereby authorized to charge/credit Deposit Acct. No. 19-2112 as described below. Enclosed is a duplicate of this sheet.
<input type="checkbox"/>	Charge the amount of \$ 740 as filing fee.
X	Credit any overpayment.
X	Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Correspondence Address:

Kevin D. Robb  
Sprint  
8140 Ward Parkway  
Kansas City, MO 64114  
Phone: 913-614-5340

Signature  
Name: SCOTT B. STROHM  
SHOOK, HARDY & BACON L.L.P.  
1200 Main Street  
Kansas City, MO 64105-2118

Date  
Reg. No.: 42,172

Phone: 816-474-6550  
Fax: 816-421-5547

EXPRESS MAIL NO. EL276178281

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Dek J. Shee
Title	Database Performance Monitoring Method and Tool
Attorney Docket Number	1768 SPRI

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in any country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

---

1-17-02

Date



Signature

---

SCOTT B. STROHM

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**